

**Minutes  
Williamson County  
Board of Zoning Appeals  
April 24, 2008**

**Members Present**

Steve Wherley, Vice Chairman  
Don Crohan, Secretary  
Sue Workman

**Staff Present**

Lee Sanders  
Linda Hodges  
Brenda Midgett  
Kenny Young, County Attorney

The Williamson County Board of Zoning Appeals met in regular session on April 24, 2008, in the Auditorium of the Williamson County Administrative Complex. Vice-Chairman Steve Wherley opened the meeting with a public statement that he read stating that the Board of Zoning Appeals is made up of five citizens nominated as Board members by the County Mayor. One member is a Planning Commissioner, one member may be a County Commissioner and the remaining members are not otherwise connected with County Government. He went on to say the Board will hear from anyone who has anything to say to the Board relevant to the request at hand. However, the Board will not view or hear anything that does not have direct bearing on the item being heard. He requested that all comments be addressed to the Board.

Vice-Chairman Wherley then asked the members to consider the minutes. Sue Workman made the motion to approve the minutes of the March 27, 2008, meeting as printed, and Don Crohan seconded the motion. The motion was unanimously approved.

**ITEM 1**

**A request by Harold Nichols for a side setback variance to allow a garage and recreation room addition at 1930 Old Hillsboro Road. The property is zoned Suburban Estate and is located in the 2<sup>nd</sup> district.**

Vice-Chairman Wherley made the announcement to the Board and the public that this request had been withdrawn from the hearing.

**ITEM 2**

**A request by Richard L. Wright, Jr. for a setback variance to allow a storage shed at 180 Riverwood Drive, Cottonwood Subdivision. The property is zoned NC/OSRD and is located in the 9<sup>th</sup> district.**

Linda Hodges read the staff report, and reviewed the background (see agenda report). The overhead projector was utilized for the aerial view of the property and site plan. Mr. Sanders stated this is an open space development with common area property used by the Cottonwood property owners. He stated the homes are built on small lots with sewer. Mr. Sanders stated the applicant wants to place the storage shed at the end of his driveway and plans to increase the length of the fence that separates the adjoining property. He stated the request does not meet the 15' side setback standards. Mr. Sanders stated the applicant is requesting a five foot variance which would allow the building to be 10' from the side property line. Mr. Sanders went on to say that the proposed location of the shed

would make it more convenient, but it appeared to staff that the building could be placed to meet the required 15' side setback.

Vice-Chairman Wherley asked the applicant if he had anything he wanted to add to the report.

The applicant, Richard Wright, represented the item. He stated he had documentation that the Board of Directors of Cottonwood approved of the request along with his neighbor on Lot #93. He also presented to the Board photos of where the property ponds when heavy rains occur. Mr. Wright submitted photos of sheds in other subdivisions of the County, claiming they did not meet the setback requirements. He stated setbacks by Cottonwood's restricted covenants concurs with the 10' setbacks for the subdivision. Mr. Wright stated he plans to use a 6' high fence and use plants to hide the building. He stated the property is small in size, with an odd shape, which would allow it to meet a requirement of Section 9601 of the zoning ordinance and therefore allow him to permit the shed.

Vice-Chairman Wherley opened the meeting to the public.

There being no one to speak, Vice-Chairman Wherley closed the public hearing.

Don Crohan asked the applicant when he had purchased the property and if there had been any changes to the property or lot lines since then.

Mr. Wright stated he purchased the property in 1994 and no changes have been made to the property lines.

Sue Workman stated she had a problem with the additional 5', placing the shed 5' closer to the property line.

Mr. Sanders stated if the shed was placed 5' to the left, the setbacks would be met and the permit would be issued. He stated that the zoning ordinance requires an accessory structure to be 15' from the side and rear property line even on lots where the house can be closer than that. Mr. Sanders explained this is why the Planning Department denied Mr. Wright's request for permit.

Don Crohan asked the applicant if he could place the shed at another location.

Mr. Wright stated that the shape of the lot and the small rear yard limits the locations he can use.

Don Crohan then asked Mr. Sanders if he thought the building could be placed on the lot in compliance with the required setbacks.

Mr. Sanders answered that it appeared to be an area where the building could be placed that would meet the setback requirements.

Vice-Chairman Wherley asked Mr. Sanders to place Section 9601 on the overhead projector.

Don Crohan made a motion to deny the request for a variance. He stated the request does not meet the criteria of Sections 9601 and 4300 B of the zoning ordinance since the shed could be located on the lot within the setback requirement. Sue Workman seconded the motion. Motion was approved by unanimous voice vote.

**ITEM 3**

**A request by Julia Spears of the Spears Foundation, (Aubrey Preston, property owner) for approval of an Event of Public Interest, Extensive Impact (Benefit Concert) located at Old Hillsboro Road in Leiper's Fork. The property is zoned Crossroad Center and is located in the 2<sup>nd</sup> district.**

Linda Hodges read the staff report, and reviewed the background (see agenda report). The overhead projector was utilized for the aerial view of the property and site plan. Mr. Sanders stated the property belongs to Aubrey Preston who was in the audience. He stated this is a natural site for this use because it provides ample parking and has a natural creek forming the 200' buffer. Mr. Sanders stated a fence surrounding the property and a gate at the entrance of the property provides access to the ticket area.

This item was represented by Julie Spears, Deborah Warnick and Shannon Pickering. Ms. Shannon Pickering, Director of Marketing Development for the Spears Foundation, stated this is a 501C3 organization that obtains funds for Hepitatus C awareness. The event is planned to have Willie Nelson performing on October 4, 2008.

Ms. Pickering read a prepared statement addressing the requirements of the Williamson County Zoning Ordinance. She stated only 5,000 tickets are being sold to the public, but they are planning to be able to accommodate up to 6,000 people. Ms. Pickering stated 800 gallons of drinking water will be available, which exceeds the 750 gallons required for such an event. She stated there would be 46 toilet facilities of which six would be for the handicapped. Ms. Pickering stated that 100 trash receptacles and a roll-off dumpster would be placed on the site and the solid waste will be removed after the event. She stated Williamson County Sheriff Deputies will direct traffic in and out of the event. She stated the Deputies would help the security staff with on-site crowd management as well. Ms. Pickering stated four EMTs will be available along with an ambulance during the event.

Deborah Warnick added that the event will practice recycling this year with Ann Johnson heading up that effort for Waste Tech Services. Ms. Warnick stated that an application is in front of the Beer Board for approval of a temporary beer permit for this event. She stated that the Heritage Foundation will handle the sale of wine at the site.

Vice-Chairman Wherley opened the meeting for the public hearing.

Aubrey Preston, property owner, stated it was a great honor for Willie Nelson to be coming to his property to perform, and he is very excited about the event.

Judy Hayes, Third District Commissioner, gave her support for the event. She stated this creates clean dollars for the County through tourism.

Betsy Hester, Second District Commissioner, spoke in support of the event as well.

John Hancock, Second District Commissioner, stated he is excited about having the event in his district and is in favor of the request.

Vice-Chairman Wherley, seeing no one else wanting to speak, closed the public hearing.

Sue Workman asked the applicant about seating and sound broadcasting of the event.

Ms. Pickering stated that guests would use blankets and lawn chairs on the ground. She stated that generators would run amplified speakers that are aimed toward the audience.

Don Crohan stated that this is a class act and thanked the applicants for their complete application. He then made a motion to approve the request. The motion stated the application met the requirements of Sections 4620 G and 9410 of the Williamson County Zoning Ordinance. Sue Workman seconded the motion. Motion was approved by unanimous voice vote.

There being no further business to come before the Board, meeting was adjourned.

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Secretary=s Signature

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Date